IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7297 OF 2006

Gopinath Ramchandra Bhujbal
since deceased through his LRs
and ors. ..Petitioners

Vs.

The State of Maharashtra and ors. ..Respondents

Mr. S.S. Punde for petitioners.
Ms. M.P. Thakur, AGP for respondent no.1.

CORAM: B.H. MARLAPALLE & J. H. BHATIA,JJ.

Dated: December 22, 2006.

P.C.:

1. Heard the learned counsel for the petitioners who are the LRs of Shri Gopinath Ramchandra Bhujbal and as per them their ancestral land was acquired as per notification dated 3/2/1970 issued under Section 4(1) of the Land Acquisition Act, 1894 and final award was passed on 20/3/1984. They claimed to have received a total amount of Rs.21,022/- at the rate of Rs.4/- per sq.mtr. They claimed that in the Land Acquisition Reference No.69 of 1981 the reference court passed an award on 8/1/1986 and enhanced the compensation to Rs.10/- per sq.mtr. The petitioners

claim that their land as well as the land covered by LAR No.69 of 1981 was acquired by the same common notification and, therefore, they submitted an application under Section 28-A for enhancement of compensation on or about 8/4/1986. The petitioners further claim that the said application filed under Section 28-A of the Land Acquisition Act, 1894 is still pending with the Collector/Special Land Acquisition Officer, Metro Centre No.1, Panvel for the last more than 20 years and, therefore, they have filed this petition for seeking directions.

2. If the application of the petitioners filed under Section 28-A of the Land Acquisition Act 1894 is still pending, we direct the Special Land Acquisition officer, Metro Centre No.1, Panvel and/or the Collector of Raigad District to decide the said application on its own merits and as expeditiously as possible but in any case by 28/2/2007.

3. Petition is disposed off accordingly.

(J.H. Bhatia, J.) **(B.H. Marlapalle,J.)**